

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA,

v.

LEROY DEWAYNE WAGNER,

Defendant.

CRIMINAL FILE NO.

1:13-CR-129-TWT

**ORDER**

This is a criminal action. It is before the Court on the Report and Recommendation [Doc. 47] of the Magistrate Judge recommending denying the Defendant's Motion to Suppress [Doc. 21]. For the reasons set forth in the Report and Recommendation, there was probable cause to seize and search the backpack. The fact that the officer thought that there were other grounds to justify a warrant-less search is irrelevant. The Fourth Amendment is not a Chinese buffet line with a limit of one item per trip. The Court approves and adopts the Report and Recommendation as the judgment of the Court. The Defendant's Motion to Suppress [Doc. 21] is DENIED.



SO ORDERED, this 18 day of February, 2014.

/s/Thomas W. Thrash  
THOMAS W. THRASH, JR.  
United States District Judge